

Owners

Daryl & Cynthia Guentzel
22083 604th Ave
Eagle Lake MN 56024

Applicant

Mike Guentzel
60374 224th Ln
Madison Lake MN 56063

Request and Location

Request for a conditional use permit to construct and operate a Level II Home Occupation. The proposed Home Occupation will include a gravel trucking business, a custom agricultural application business and snow plow business. The property is zoned agricultural and is located in the Northwest Quarter of the Southwest Quarter of Section 32, Jamestown Township.

Legal Description

Part of the Northwest Quarter of the Southwest Quarter of Section 32, Jamestown Township (T-109-N, R-25-W).

Zoning

Agricultural

General Site Description and Project Proposal

The entire property includes a 73.9 acre parcel and consists of crop land. The applicant, who is also the son of the property owners (Daryl and Cynthia Guentzel) intends to construct an 8,000 square foot building (115' x 70'). 5,000 square feet of the building will be for the operation of the trucking business and the remaining 3,000 square feet will be for personal storage. The proposed structure will include a 15' x 20' addition to be used as a break room. The applicant proposes to build a home with an attached garage to the south of the proposed home occupation structure.

The primary purpose of the business is the operation of a gravel trucking business. In the spring and fall some of the trucks will be used to land apply fertilizer, lime and other granular agricultural products. Other times of the year, the trucks and equipment will be used to render snow removal services for Mankato area businesses. The applicant is asking to be allowed to operate Monday through Friday (6am to 6pm) and Saturdays (6am to 3pm).

It is the intention of the applicant, who is also a certified mechanic, to conduct repairs and maintenance on the trucks within the shop area of the building. In order to maintain a safe working environment and avoid nuisance conditions, the applicant proposes to store used oil, brake fluid, antifreeze and other automotive fluids in storage drums. The storage drums will be set in secondary storage structures to contain any leaks. Some of the used oil may be burned in waste oil burners or along with other used automotive fluids disposed of at Loe's Oil Company or the Blue Earth County Household Hazardous Waste (HHW) facility.

Project Outcome

If approved, the applicant will operate a trucking business, an agricultural custom application business, and a snow plow business as a Level II Home Occupation.

Land Use Plan

The Conditional Use is consistent with the goals and policies established in the Blue Earth County Land Use Plan.

Existing Land Use within 1/4 Mile

North: County State-Aid Highway (CSAH) 26 (230th street) and cropland.

South: Cropland and one residence.

East: Cropland and one residence.

West: CSAH 27 (604th Avenue) and cropland.

Access

Access to the site will be to and from CSAH 26. Any change in access will require approval from the Blue Earth County Highway Department.

NATURAL RESOURCES INFORMATION**Topography**

The proposed site for the building slopes off gently to the southwest.

Floodplain

The proposal is not within a floodplain area (see attachment A-4).

Shoreland

The proposal is not within a shoreland area (see attachment A-5).

Township Review

In a letter dated May 13, 2015, James Anderson, the Jamestown Township Clerk, indicated that the applicant presented before the Township board, his request for a conditional use permit to operate a trucking business. The Township board had no objection to the request so far as it is in accordance with the Blue Earth County planning and zoning regulations.

Staff Review

Staff has consulted with Ken Frederick, County Waste Management Specialist regarding spillage of chemicals and disposal of hazardous waste products. In his assessment, he indicated that the floor of the yet to be constructed building should be sealed with a chemical resistant coating material prior to operations. That the applicant acquires an EPA ID number to enable the business participate in the Very Small Quantity Generator (VSQG) program. This program is set up to help businesses and non-profit organizations to legally dispose of small amounts of hazardous waste they produce. Also inspections shall be done to ensure that the secondary containment has enough storage capacity. Staff has concluded that, the applicant must ensure that the container is sufficient to work and it's devoid of leaks or spillage.

Environmental Health Staff Comments

See Attachment A-6.

Standards for Granting a Conditional Use Permit Section 24-47 (f) (1) items a through o of the Code of Ordinances) Staff believes the request will meet the following standards required for the granting of a conditional use permit:

- a. That the proposed use conforms with the county land use plan.
- b. The demonstrated need for the proposed use.
- c. That the proposed use will not degrade the water quality of the county.
- d. That the proposed use will not adversely increase the quantity of water runoff.
- e. That soil conditions are adequate to accommodate the proposed use.
- f. That the proposed use does not create a potential pollution hazard.
- g. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- h. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- i. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
- j. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
- k. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
- l. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- m. (N/A) That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.
- n. That the intensity of proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.
- o. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.

Recommendations

Staff recommends **approval** of the request to operate a trucking business as a level II Home Occupation with conditions listed below:

1. All level II home occupations shall be conducted entirely within the dwelling or accessory building and shall be carried on by the inhabitants thereof. Six (6) employees are allowed other than the inhabitants.
2. That the conditional use shall be clearly incidental and secondary to the use of the property for residential purposes.
3. That the level II home occupation shall not exceed 5,000 square feet of total building space.
4. That the property shall not be used as a junkyard, as defined in Chapter 24 of the Blue Earth County Code of Ordinances.

5. That allowable signage shall be limited to a 32 square foot sign, non-illuminated, and located on the property.
6. That there shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.
7. The operation of the home occupation shall begin no earlier than 8:00 a.m. and end no later than 8:00 p.m. Additional hours shall be reviewed by the Planning Commission and approved by the County Board of Commissioners. Note the applicant's requested hours referenced above.
8. That materials and equipment associated with the Level II home occupation shall be stored in an enclosed building or screened area.
9. That all vehicles associated with the Level II home occupation shall be parked off-street and entirely upon the lot on which the home occupation is operated.
10. That the applicant shall obtain and maintain all permits as required by the state of Minnesota (or any federal agency) and shall maintain any and all records as required.
11. That the applicant shall acquire an EPA ID number to enable the business participate in the Very Small Quantity Generator (VSQG) program. (This program is set up to help businesses and non-profit organizations dispose of small amounts of hazardous waste they produce.)
12. That any used automotive fluids intended to be burned in oil burners are stored, transported and burned according to all state and/or federal regulations.
13. That the shop floor of the proposed building shall be sealed with a chemical resistant coating prior to the start of business operations.
14. That the applicant shall obtain a construction permit and construct a single family dwelling on the same parcel as the Level II home occupation. Construction of the home shall be before, or in conjunction with, the construction of the proposed building for the Level II Home Occupation. Construction permits shall be obtained prior to the commencement of any construction activities.
15. That the applicant shall abide by all MPCA stormwater regulations.

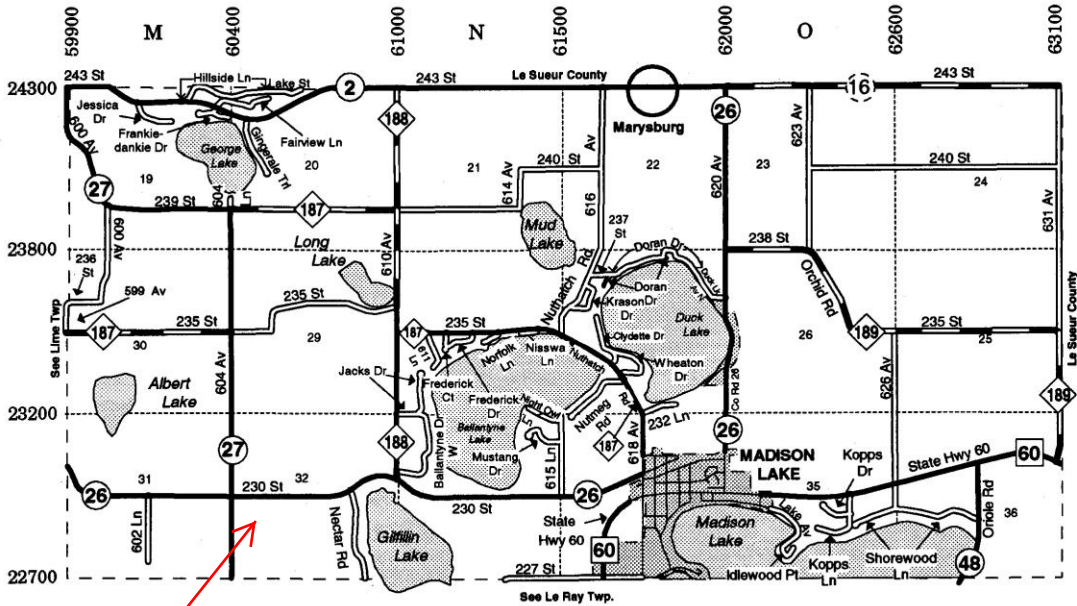
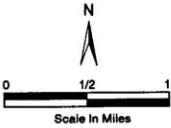
Attachments

- A-1 General Site Location
- A-2 Site Map
- A-3 Applicant's Business Plan
- A-4 Floodplain Map
- A-5 Shoreland Map
- A-6 Environmental Health Comments

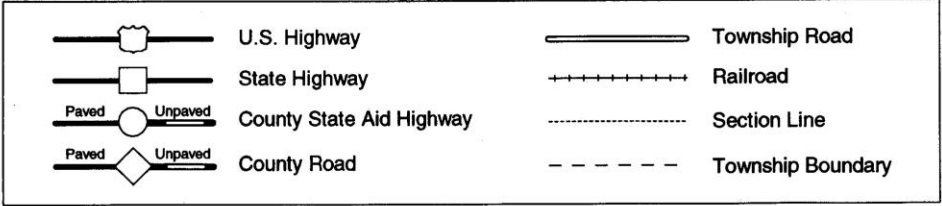
Attachment A-1 General Location Map

Jamestown

T 109 N - R 25 W

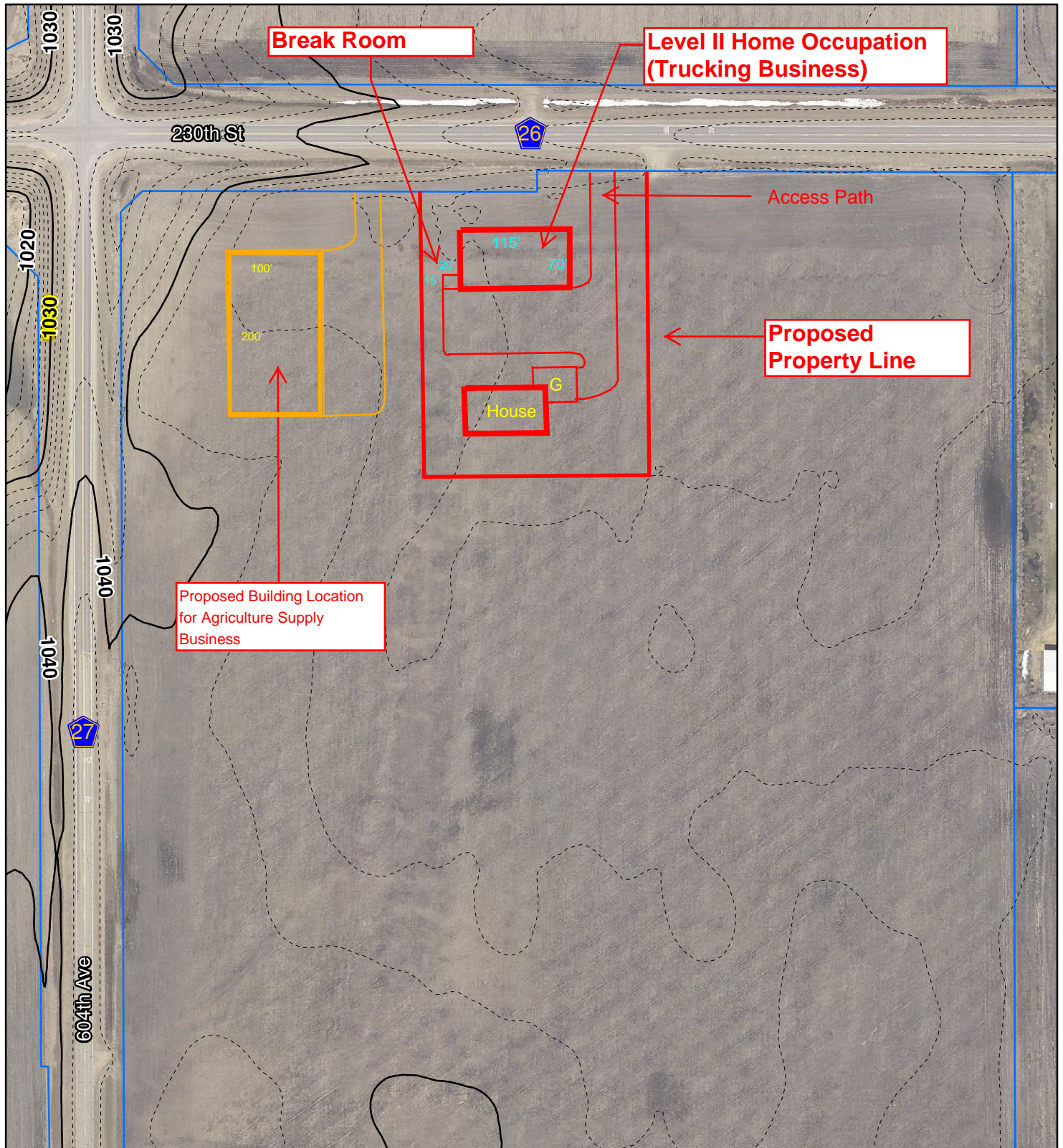


SITE



SITE MAP

Legend
G: Garage



Parcel

0 70 140 280 Feet



Source: Contours - MN LiDAR 2012

Elevation Contour

Index (10 Ft)

Intermediate (2 Ft)

Disclaimer: This map was created using Blue Earth County's GIS and was created for specific internal County uses. It is intended to be used for reference purposes only and does not represent a land survey. No liability is assumed for the accuracy of the data delineated herein, either expressed or implied by Blue Earth County or its employees.

Conditional Use Permit for Guentzel Trucking

Guentzel Trucking is a local dump truck and snow removal company. We subcontract for many area contractors, concrete plants, asphalt plants and the general public. Our typical trucking hours are Monday to Friday 6am to 6pm and Saturday from 6am to 3pm and maintenance is done in the evenings or rain days as necessary. Hours may vary due to weather and job conditions.

During the spring and fall we spread fertilizer, lime and other granular agricultural products. Hours are not set due to too many variables with weather, farmers' schedules and suppliers' schedule.

In snow removal season we have pickups, skid steers and loaders to do snow removal for Mankato area businesses. The hours for snow removal depend completely on the weather. During the winter only the pickups come back to the home base and the other equipment stays at the lots they plow

At the new house site we plan to have a 5000 square foot shed with a 3000 square foot addition for personal use. The shed should be big enough to house the trucks and snow removal equipment.

With trucking comes repairs and maintenance. I was a technician in several area dealerships working on tractors, trucks, construction equipment and trucks. I have a diploma from SCTC in Agribusiness Mechanics, certificates in Mustang, Freightliner and Cummins service and I'm a certified MNDOT inspector. To be more economical I do the majority of my own repairs. We will not affect the environment with our repairs. All oils, lubricants, grease and other hazardous materials will be properly stored and in a secondary containment area as necessary. Used oil, antifreeze, brake fluids, lubricants, and other automotive fluids will be gathered in a portable receptacle. This receptacle will be emptied into storage drums which will set in a secondary storage barrier to prevent fluids

from leakage. I currently have 2 neighbors who use the waste lubricants to heat their hobby shops. If the waste isn't used by them the drums, along with a container holding used oil filters, absorbent materials, rags, towels, etc., will be picked up or taken to a waste oil and fluid facility such as:

Loe's Oil Co, 40563 520th St, No. Mankato, MN, 507-625-5278 or the
Blue Earth County Hazardous Waste disposal facility (seasonally).

We will not create excessive noise. Our shop will have it's back to the county road opening in toward our yard and will be insulated.

I believe that this home occupation is a clean, low impact business which can and will be conducted without jeopardizing the health, safety and general welfare of the surrounding area and its uses.

We understand that as part of this conditional use permit the house will have to come before or in the same year as the shed.

A handwritten signature in black ink, appearing to read 'Mike Guentzel', with a stylized, looped design.

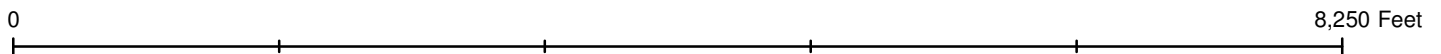
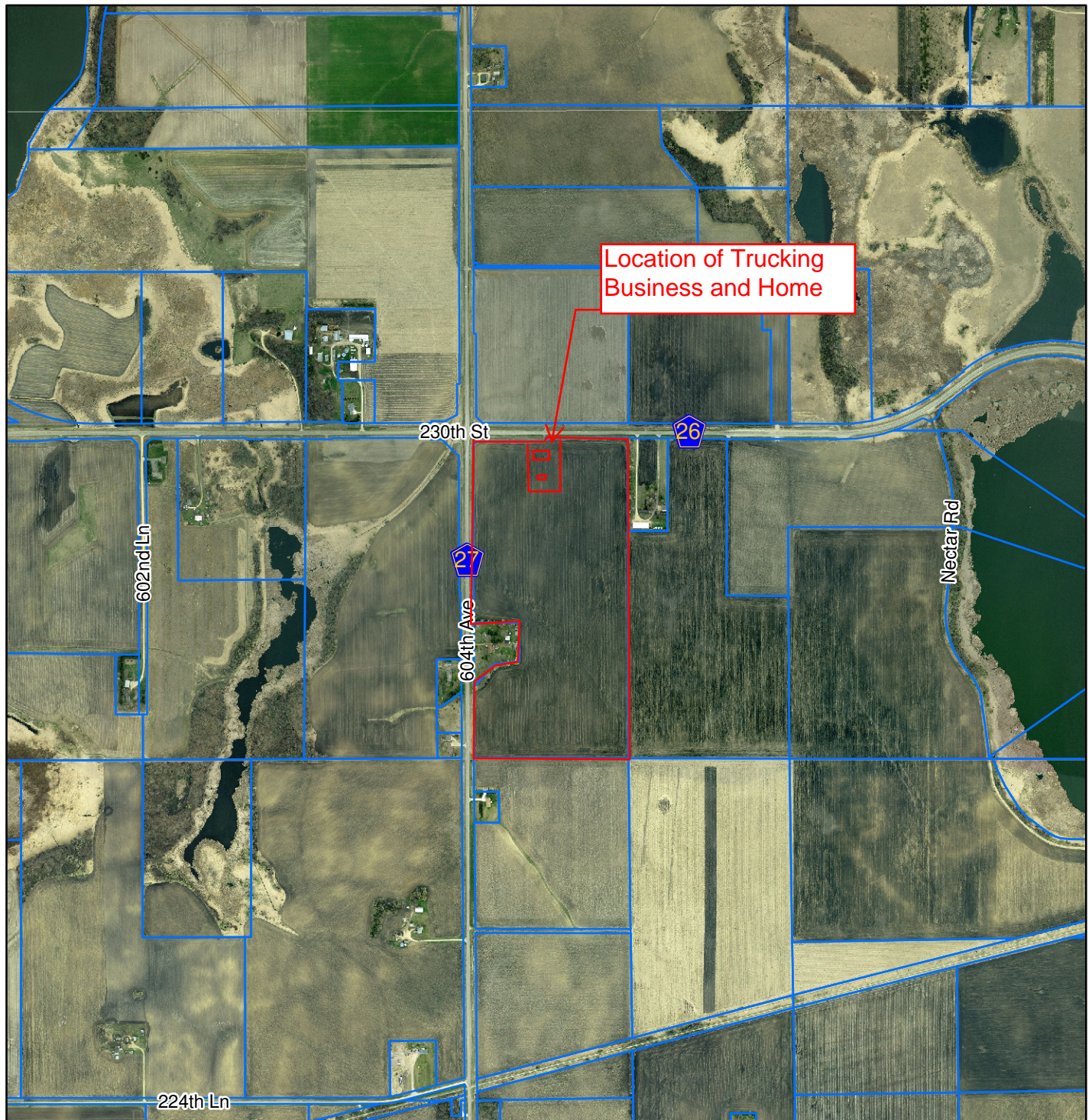
Mike Guentzel

Owner/Operator

guentzeltrucking@gmail.com

507-380-3616

Preliminary Flood Insurance Rate Map April 20, 2011 Draft Data



Special Flood Hazard Area

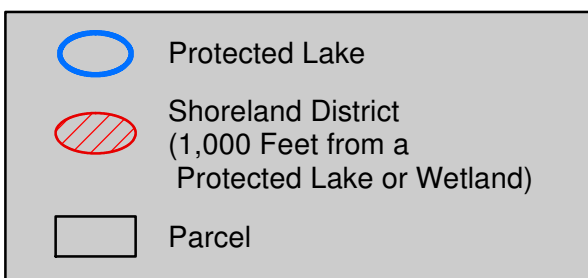
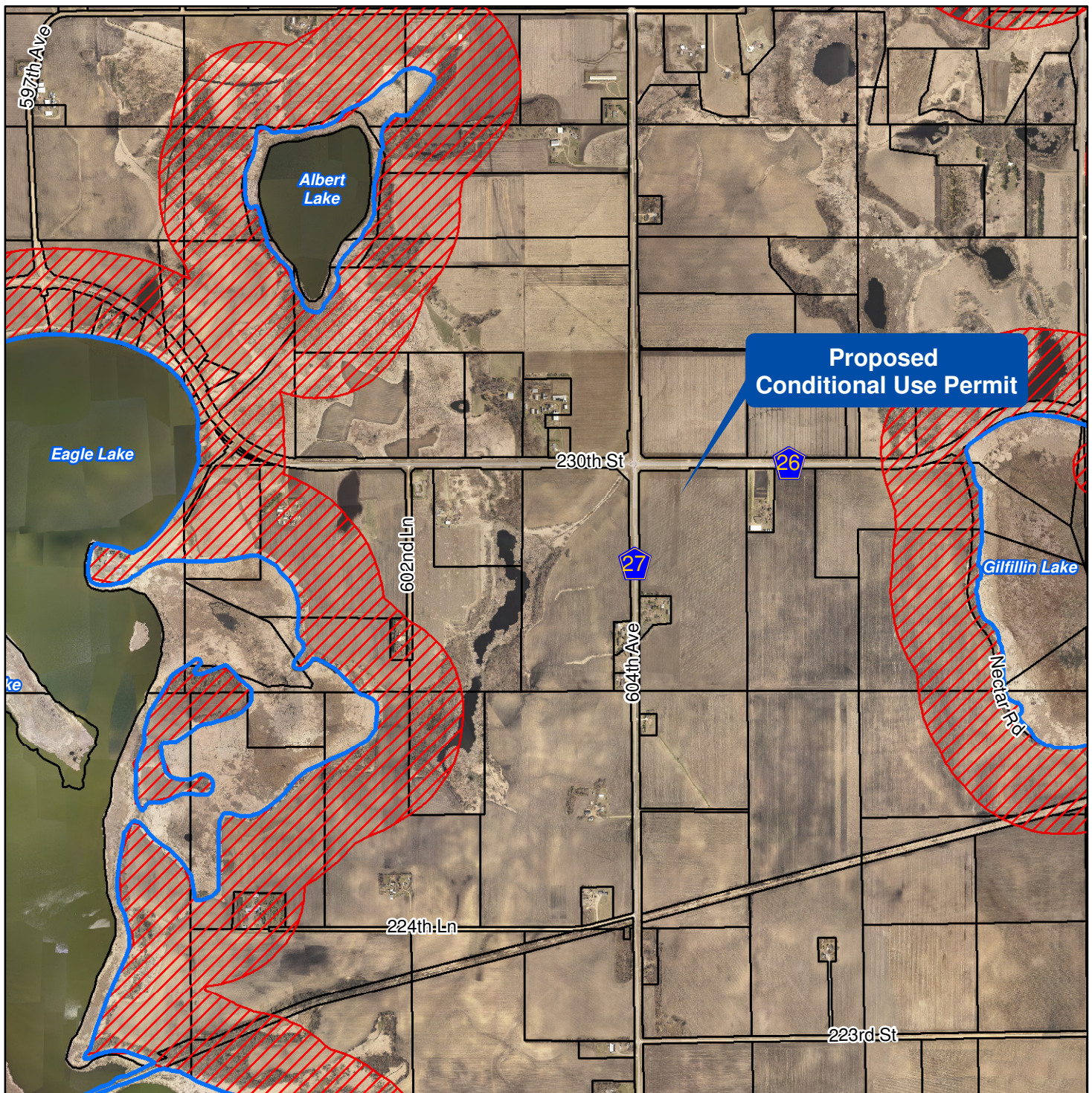
- Zone AE - Floodway
- Zone AE
- Zone A - No Base Flood Elevations
- Base Flood Elevation (FT)

Other Flood Areas (Zone X)

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- PROTECTED BY LEVEE



Attachment A-5 Location of Shoreland Districts



0 0.5 1 Mile



Prepared By: Blue Earth County
Environmental Services
May 2015

Source: County Aerial Photo - 2013

**BLUE EARTH COUNTY
ENVIRONMENTAL SERVICES**

*Government Center, 410 South Fifth Street
P.O. Box 3566, Mankato, Minnesota 56002-3566*

Phone: (507) 304-4381 Fax: (507) 304-4431

Environmental Health Section - Planning Application Reviews

Date Printed:	May 28, 2015	Permit Number:	PL2015029
Property Owner:	GUENTZEL DARYL N & CYNTHIA	Applicant:	GUENTZEL MICHAEL C
Parcel Number:	R37.05.32.300.007	File ID:	PL 11-15

Application Description: Request for a conditional use permit to construct and operate a Level II Home Occupation. The proposed Home Occupation will include a gravel trucking business, a custom agricultural application business and snow plow business. The property is zoned agricultural and is located in the NW quarter of the SW quarter of Section 32 Jamestown Township.

Septic Review

Status: Complete - Comments Received

Comments: The parcel involved is currently undeveloped. Proper septic permits shall be obtained prior to commencement of any future construction activities. gleary 05/28/2015 9:01 AM

Well Review

Status: Complete - Comments Received

Comments: The parcel involved is currently undeveloped. The proposed use does not appear likely to impact any known wells in the immediate area. Proper well permits shall be obtained prior to commencement of any future construction activities. gleary 05/28/2015 9:01 AM

Wetland Review

Status: Complete - Comments Received

Comments: The parcel involved is currently undeveloped. The proposed used does not appear likely to impact any known wetlands in the immediate area. gleary 05/28/2015 9:01 AM
